

Order

Michigan Supreme Court
Lansing, Michigan

July 2, 2010

Marilyn Kelly,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

Rehearing No. 564

137480

DONNA B. DECOSTA,
Plaintiff-Appellant,

v

DAVID D. GOSSAGE, D.O., and
GOSSAGE YE CENTER,
Defendants-Appellees.

SC: 137480
COA: 278665
Hillsdale CC: 06-000747-NM

On order of the Court, the motion for rehearing is considered, and it is DENIED.

MARKMAN, J. (*dissenting*).

I would grant defendant's motion for rehearing and, on rehearing, I would vacate this Court's May 25, 2010 decision and affirm the Court of Appeals for the reasons set forth in my dissent. *DeCosta v Gossage*, 486 Mich 116 (2010).

CORRIGAN and YOUNG, JJ., join in the statement of MARKMAN, J.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 2, 2010

Corbin R. Davis

Clerk